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PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	10/032,322
Filing Date	12/21/2001
First Named Inventor	Deborah L. Kilpatrick
Group Art Unit	3739
Examiner Name	Unknown
Attorney Docket Number	ACSC 60052 (2348)

Total Number of Pages in This Submission **38**

## ENCLOSURES (check all that apply)

- ☒ Fee Transmittal Form
- ☒ Fee Attached
- ☐ Amendment / Reply
- ☐ After Final
- ☒ Affidavits/declaration(s)
- ☐ Extension of Time Request
- ☐ Express Abandonment Request
- ☐ Information Disclosure Statement
- ☐ Certified Copy of Priority Document(s)
- ☐ Response to Missing Parts/Incomplete Application
- ☒ Response to Missing Parts under 37 CFR 1.52 or 1.53

- ☒ Assignment Papers (for an Application)
- ☐ Drawing(s)
- ☐ Licensing-related Papers
- ☐ Petition
- ☐ Petition to Convert to a Provisional Application
- ☒ Power of Attorney, Revocation Change of Correspondence Address
- ☐ Terminal Disclaimer
- ☐ Request for Refund
- ☐ CD, Number of CD(s) \_\_\_\_\_

- ☐ After Allowance Communication to Group
- ☐ Appeal Communication to Board of Appeals and Interferences
- ☐ Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
- ☐ Proprietary Information
- ☐ Status Letter
- ☒ Other Enclosure(s) (please identify below):

**Postcard**

Remarks



**24201**

PATENT TRADEMARK OFFICE

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name  
FULWIDER PATTON LEE & UTECHT, LLP  
Gunther O. Hanke, Esq.

Signature

Date

04/10/2002

## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date:

April 10, 2002

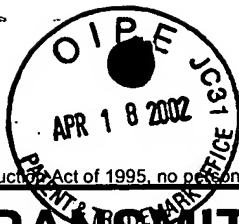
Typed or printed name  
Gunther O. Hanke, Esq.

Signature

Date

04/10/2002

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



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# FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

## Complete if Known

Application Number	10/032,322
Filing Date	12/21/2001
First Named Inventor	Deborah L. Kilpatrick
Examiner Name	Unknown
Group Art Unit	3739
Attorney Docket No.	ACSC 60052 (2348)

TOTAL AMOUNT OF PAYMENT (\$ ) 910.00

## METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number: 06-2425  
Deposit Account Name: FULWIDER PATTON

☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☒ Payment Enclosed:

☒ Check ☐ Credit card ☐ Money Order ☐ Other

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)	Fee Code (\$)	Fee Code (\$)		
101	740	201	370	Utility filing fee	
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	

SUBTOTAL (1) (\$ )

### 2. EXTRA CLAIM FEES

Total Claims		Extra Claims		Fee from below	Fee Paid
Independent	Multiple Dependent	-20**	-3**		

Large Entity		Small Entity		Fee Description
Fee Code (\$)	Fee Code (\$)	Fee Code (\$)	Fee Code (\$)	
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim, if not paid
109	84	209	42	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ )

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)	Fee Code (\$)	Fee Code (\$)		
105	130	205	65	Surcharge - late filing fee or oath	130.00
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	40.00
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	
Other fee (specify) Basic Filing Fee					740.00

\*Reduced by Basic Filing Fee Paid SUBTOTAL (3) (\$ ) 910.00

## SUBMITTED BY

Name (Print/Type)	Gunther O. Hanke, Esq.	Registration No. (Attorney/Agent)	32,989	Telephone	(310) 824-5555
Signature		Date	04/10/2002		

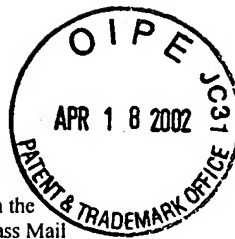
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with, sufficient postage as First Class Mail in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231 on April 10, 2002.

  
Gunther O. Hanke, 32,989



#3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of	)	Examiner: Unknown
	)	
Inventors: Deborah L. Kilpatrick, et al.	)	Group Art Unit: 3739
	)	
U.S. Serial No. 10/032,322	)	Docket No. ACSC 60052 (2348)
	)	
Filed: December 21, 2001	)	
	)	
For: METHOD OF TREATING	)	
VULNERABLE PLAQUE	)	
	)	

RESPONSE TO NOTICE TO FILE MISSING PARTS  
OF NONPROVISIONAL APPLICATION

Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

This paper is responsive to the Notice to File Missing Parts of Nonprovisional Application dated February 22, 2002, the response for which was is due on April 22, 2002.

Applicant submits herewith the Declaration and Power of Attorney, the Assignment and Part 2 of the Notice to File Missing Parts of Nonprovisional Application for the above-identified application together with our check in the amount of \$910 to cover the statutory basic filing fee, the large entity surcharge and the Assignment recordation fee.

Please address all correspondence to:

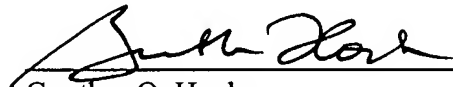
Gunther O. Hanke  
FULWIDER PATTON LEE & UTECHT LLP  
Howard Hughes Center  
6060 Center Drive  
Los Angeles, California 90045

Please credit any overpayment or charge any additional fees in this matter to our  
Deposit Account No. 06-2425. **A duplicate of this paper is enclosed.**

Respectfully submitted,

FULWIDER PATTON LEE & UTECHT, LLP

By:

  
\_\_\_\_\_  
Gunther O. Hanke  
Registration No. 32,989

GOH:psm

6060 Center Drive, Tenth Floor  
Los Angeles, California 90045  
Telephone: (310) 824-5555



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/032,322	12/21/2001	Deborah L. Kilpatrick	9600-7530

COUDERT BROTHERS LLP  
600 Beach Street, 3rd Floor  
San Francisco, CA 94109-1314

RECEIVED

FEB 28 2002

COUDERT BROTHERS LLP  
SAN FRANCISCO

CONFIRMATION NO. 4726

FORMALITIES LETTER



\*OC000000007518968\*

Date Mailed: 02/22/2002

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 740 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 870.**

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

04/19/2002 BABRW41 00000089 10032322

01 FC:101  
02 FC:105

740.00 OP  
130.00 OP